

Sisseton-Wahpeton Oyate

LAKE TRAVERSE RESERVATION
P.O. Box 509
100 Veterans Memorial Drive
Agency Village, South Dakota 57262-0509
Phone: (605) 698-3911

EXECUTIVE RESOLUTION NO. 09-004

High Priority Transportation Request for BIA Highway 800

- WHEREAS,** The Sisseton-Wahpeton Oyate of the Lake Traverse Reservation is organized under a Constitution and By-Laws adopted by the members of the Tribe on August 1-2, 1966 and approved by the Commissioner of Indian Affairs on August 25, 1966, and last amended effective November 15, 2006; and,
- WHEREAS,** The said Constitution and By-laws ARTICLE VII, Section 1 authorizes the Tribal Council to: (a) represent the Tribe in all negotiations with Federal, State and local governments; (g) to take actions by ordinance, resolution or otherwise which are reasonably necessary through committees, boards, agents, otherwise, to carry into effect the foregoing purposes; and (h) to promote public health, education, charity, and other services as may contribute to the social advancement of the members of the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation; and,
- WHEREAS,** ARTICLE III, Section 2 of the Constitution and By-laws of the Sisseton-Wahpeton Oyate authorizes the Executive Committee of the Tribe to act on behalf of the Tribal Council in matters arising between sessions of the Tribal Council, subject to review by the Tribal Council; and,
- WHEREAS,** The Congress of the United States is addressing the high priority transportation projects throughout the United States and Indian Country with consideration of the funding being authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, P.O. 109-59); and,
- WHEREAS,** The current Tribal Transportation Improvement Plan for 2009-2013 does not have sufficient funding to the address the critical replacement or repairs to BIA Highway 800 within the current 5 year Long-Range Transportation period especially because the petroleum and construction materials needed are more costly; and,

WHEREAS, The upgrade of BIA Highway 800 along its entire 10.2 mile length is the primary redirected traffic plan for access to existing and expanding Long Hollow Housing residences; and,

WHEREAS, The BIA Highway 800 project for the tribal resident access into Sisseton and Agency Village is addressing the disrepair of existing asphalt roads, discontinuous tribal road sections, and extensive Roberts County traffic maintenance on 455th Avenue and 457th Avenue **that IS included in the Indian Reservation Roads Inventory** but not within the funding capacity of Roberts County; and,

WHEREAS, The road audit and asphalt construction and reconstruction for BIA Highway 800 is a high priority for a continuous asphalt surface needed to ensure safe road conditions for commuting workers, bus routes and ambulance services critical to the expanding residential population; and,

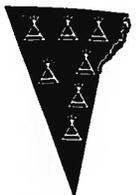
WHEREAS, The funding formula within the STIP places this project quite low on the priority lists and this is a high priority project that requires secured Federal funding prior to further MOA negotiations and planning phases among Tribal and other governments; and,

WHEREAS, The redistribution of future IRR funding can supplement 5% of the road project with minimal impact on the Long-Range Transportation Plan and the project funding request is for 95% of the total estimated cost of \$15,300,000 for a funding request of \$14,530,000 to establish a safe continuous route to Long Hollow District.

WHEREAS, The non-Tribal portion is only two miles in addition to the 8.2 mile project and spares the County and State potentially 6 miles of maintenance for travel axes into Sisseton; and,

NOW, THEREFORE BE IT RESOLVED, That the Sisseton-Wahpeton Oyate Tribal Executive Council of the Lake Traverse Reservation hereby authorizes the High Priority Transportation Request to Congressional Representative Stephanie Herseth-Sandlin for reconstructing existing asphalt and replacing gravel portions of BIA 800 North with asphalt; and,

NOW, THEREFORE BE FURTHER RESOLVED, That the Sisseton-Wahpeton Oyate Tribal Executive Council of the Lake Traverse Reservation hereby explicitly supports project work on BIA Highway 800; and,

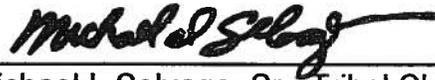


FINALLY, BE IT RESOLVED, That the Sisseton-Wahpeton Oyate Executive Council of the Lake Traverse Reservation herein authorizes that this Letter of Support is provided to the House Transportation and Infrastructure (T&I) Committee for inclusion in the reauthorization of the SAFETEA-LU high priority projects in 2009.

CERTIFICATION

We, the undersigned duly elected Tribal Chairman and Tribal Secretary of the Sisseton-Wahpeton Oyate Tribal Council, do hereby certify that the above resolution was duly adopted by the Sisseton-Wahpeton Oyate Executive Council, which is composed of 3 members, of whom 2 constituting quorum, were present at a Tribal Council meeting, duly noticed, called, convened and held at the TiWakan Tio Tipi, Agency Village, South Dakota, April 27, 2009, by a vote of 2 for, 0 opposed, 0 abstained, 0 absent from vote, 1 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 27th of April, 2009.



Michael I. Selvage, Sr., Tribal Chairman
Sisseton-Wahpeton Oyate

ATTEST:



Delbert Hopkins, Jr., Tribal Secretary
Sisseton-Wahpeton Oyate

cc: Tribal Planning and Economic Development Department
Tribal Attorney

